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September 10, 2003

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GROUP 3600

Att: Director of Patent & Trademarks
Office of the Director
P.O. Box 1450
Alexandria, VA 22313-1450

This letter is in regards to an Office Action response filed February 28, 2003 on our Utility Patent Application (Application Number 10/044,108). Proceeding the events of September 11, 2001 and in the interest of security regarding the Post Office and the Patent Office it is our understanding that the Patent Office encourages the use of facsimile machines to file such responses and/or similar items to minimize risk to your personnel. Our attorney has since been using this desired method and had filed our Office Action response accordingly.

We believe the examiner (Christy Green) failed to understand our invention in the first place, which prompted the Office Action. We had our attorney first call the examiner to possibly try to solve any problems over the phone to move things along, but with no success. Within a few days we recieved our office action.

Our attorney began immediately reviewing her work to see what, if anything appeared to be confusing or unclear. After her review she informed us everything was in order and that she would add some additional exhibits to the Office Action response to help clarify things for the examiner. Approxiamately 8 to 10 weeks after filing our Office Action response we requested our attorney to follow up with a status report regarding our Office Action response. Our attorney informed us that she had several calls in to both the examiner and the examiners supervisor. After countless calls in an attempt to have our response located both the examiner and the supervisor insisted that there records indicated nothing was filed and that there was nothing they could do and that we would have to pay a 3 month late fee for re-filing the response. Our attorney pleaded our our case once again to the supervisor who finally agreed to have our attorney fax a copy of the response to him and thereafter agreed that our patent attorney had properly followed Patent Office procedure and that the document loss was a Patent Office mistake which required no late fee.

We are now into September and still no word regarding the status of our application. The last information provided to our attorney was that it would not be placed next in line but rather somewhere in line. We were ready to accept the cost associated with your examiners lack of understanding regarding our invention and the fact that our Office Action was lost which amounted to just under \$700.00 in attorney fee's but when our application was placed somewhere in line due to a Patent Office mistake we believe the line was crossed. We either want compensation for these expenses or our final Issuing Fee waived. We have been wronged and it needs to be made right.

We hope this matter can be resolved shortly without further incident. We thank you for your time and await your response.

Tim Bronson - Brian Fiala
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Englewood, FL 34224